

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

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PROPOSED ATTORNEYS FOR DEBTOR

In re:

LTL MANAGEMENT LLC,¹

Debtor.

LTL MANAGEMENT LLC,
Plaintiff,

v.

THOSE PARTIES LISTED ON APPENDIX A TO
COMPLAINT and JOHN AND JANE DOES 1-1000,
Defendants



Order Filed on April 28, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Chapter 11

Case No.: 23-12825 (MBK)

Judge: Michael B. Kaplan

Adv. No.: 23-01092 (MBK)

Hearing Date and Time:
April 18, 2023 at 10:00 a.m.

**ORDER APPROVING SERVICE PROCEDURES
FOR SUMMONS, COMPLAINT AND OTHER PLEADINGS**

The relief set forth on the following pages is hereby **ORDERED**.

DATED: April 28, 2023

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".
Honorable Michael B. Kaplan
United States Bankruptcy Judge

(Page 2)

Debtor: LTL Management LLC

Adv. No. 23-01092-MBK

Caption: Order Approving Service Procedures for Summons, Complaint and Other Pleadings

This matter coming before the Court on the *Debtor's Motion for Approval of Service Procedures for Summons, Complaint, and Other Pleadings* [Adv. Dkt. 6] (the Motion)² filed by Plaintiff LTL Management LLC, the debtor in the above-captioned chapter 11 case (the "Debtor"); the Court having reviewed the Motion, the First Day Declaration and the Kim Declaration, and having heard the arguments of counsel and considered the evidence presented at a hearing before the Court (the "Hearing"); the Court finds and concludes as follows:

A. The Plaintiff in this Adversary Proceeding is the Debtor. The Defendants in this Adversary Proceeding are named plaintiffs in the talc-related lawsuits against the Debtor (or for which the Debtor is responsible or alleged responsible) listed on Appendix A to the *Debtor's Verified Complaint for Declaratory and Injunctive Relief (I) Declaring That the Automatic Stay Applies or Extends to Certain Actions Against Non-Debtors, (II) Preliminarily Enjoining Such Actions and (III) Granting a Temporary Restraining Order Ex Parte Pending a Hearing On a Preliminary Injunction* (the "Complaint"), as well as John and Jane Does 1-1000.

B. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the Standing Order of Reference. This is a core proceeding pursuant to 29 U.S.C. § 157(b). Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.

C. Notice of the Motion and the Hearing was sufficient under the circumstances and no other or further notice is required.

² Capitalized terms not otherwise defined herein have the meanings given to them in the Motion.

(Page 3)

Debtor: LTL Management LLC

Adv. No. 23-01092-MBK

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D. The counsel identified on Appendix A to the Complaint (collectively, as may be supplemented, amended or otherwise modified from time to time, the “Talc Firms”) for the known Defendants in this Adversary Proceeding (collectively, the “Talc Claimants”) have appeared on behalf of the Talc Claimants in matters substantially related to this Adversary Proceeding such that it is appropriate to serve the Complaint, the related summons (the “Summons”) and other pleadings the Debtor has filed or may file in the above-captioned Adversary Proceeding (collectively with the Complaint and the Summons, the “Adversary Pleadings”) on the applicable Talc Firms as authorized agents of the Talc Claimants.

E. Service of the Adversary Pleadings on the Talc Firms as authorized agents of the Talc Claimants, rather than on the individual Talc Claimants directly, comports with the service requirements of the Civil Rules, the Bankruptcy Rules and applicable case law.

F. Service of the Adversary Pleadings on the Talc Firms as authorized agents of the Talc Claimants in accordance with the Service Procedures will provide more efficient and reliable service on the Talc Claimants and will conserve estate resources to the benefit of all creditors.

Based on these findings and conclusions, **IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED.
2. The Debtor is hereby authorized to serve (a) the Summons and the Complaint and (b) all other Adversary Pleadings, once filed, on the Talc Firms as authorized agents of the Talc Claimants, rather than upon each individual Talc Claimant directly.

(Page 4)

Debtor: LTL Management LLC

Adv. No. 23-01092-MBK

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3. The Debtor is further authorized to: (a) list the names, addresses and other contact information, as applicable, of the Talc Firms in any creditor or service lists provided to the Court or filed in this Adversary Proceeding, in lieu of listing the contact information of individual Talc Claimants; and (b) for any Talc Firm representing more than one Talc Claimant, serve each Adversary Pleading only a single time on such Talc Firm (at each relevant address) on behalf of all of such counsel's clients, provided that any notice or other document relating specifically to one or more particular Talc Claimants (rather than all Talc Claimants represented by a Talc Firm) shall clearly identify the parties to whom it relates³ (collectively, with the procedures described in paragraph 2 above, the "Service Procedures").

4. The Talc Firms are authorized to receive service of process of the Summons and the Complaint on behalf of the Talc Claimants each represents in accordance with Civil Rule 4(e)(2)(C) and Bankruptcy Rule 7004(b)(8).

5. Service of the Adversary Pleadings in accordance with the Service Procedures constitutes good and sufficient service on each Talc Claimant under the Civil Rules, the Bankruptcy Rules and applicable case law, and no other or further service on the Talc Claimants is or shall be necessary.

6. The Debtor is authorized and empowered to take all actions necessary to implement the relief granted in this Order.

³ Any list or information regarding the Talc Claimants represented by a Talc Firm that is provided by the Debtor in connection with providing notices under the Service Procedures shall not limit the effectiveness of any notice with respect to other clients of the Talc Firm not listed therein.

(Page 5)

Debtor: LTL Management LLC

Adv. No. 23-01092-MBK

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7. The Debtor shall serve a copy of this Order in accordance with the Service Procedures.

8. This Court shall retain exclusive jurisdiction over any and all matters arising from or related to the implementation, enforcement or interpretation of this Order.